Introduction

The **Stour Row Village Hall Charity Commission Scheme** is the document that is held by the Charity Commission and is a record of the principal governance rules for the Village Hall.

It was last revised in 1996 and no longer reflects the current situation in the community it serves. It has not been possible to fulfil the terms of the ‘Scheme’ for a number of years.

Proposed changes

The Committee is therefore proposing the following changes:

1. To alter the size of the committee specified by the ‘Scheme’ from 24, to a minimum of four and a maximum of 10.
2. To remove the requirement for two representative members from the following listed organisations, which are no longer believed to be in operation:
   * The Parochial Church Council of the Ecclesiastical Parish of All Saints Stour Row,
   * Duncliffe Nature Society,
   * Stour Row Coffee Morning,
   * Stour Row Simple Gardening,
   * Stour Row Keep Fit Club, and
   * The Stours' Women's Institute.
3. To clarify that Committee Members are also Trustees of the Stour Row Village Hall.

Mechanism

The existing scheme includes a ‘Power of Amendment’ (section 30):

*“Any amendment must be made under the authority of a resolution passed at the annual general meeting.”*

The Committee intends to put such a resolution to a future AGM to amend the Scheme as set out in this document.

Details of the changes are in the appendix that follows. The text to be removed is in red and struck through; the new text is in green; unchanged text is in black.

The only changes are to paragraphs 4. and 6.

If approved, the change will be sent to the Charity Commission with a request that they record the amended Scheme as the formal documentation of the Village Hall’s governance rules.

Sealed 21st February 1996

W 38(S) County - Dorset

96 Parish - Stour Provost

Place - Stour Row

Charity - Village Hall

CD(T)

301.182

Scheme including appointment of Trustees

C H A R I T Y C O M M I S S I O N

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In the matter of the Charity known as the Village Hall, at Stour Row, in the Parish of

Stour Provost, in the County of Dorset, regulated by a conveyance and trust deed

dated the 18th March 1954 as varied or affected by a deed of variation dated the

14th May 1981; and

In the matter of the Charities Act 1993.

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THE CHARITY COMMISSIONERS FOR ENGLAND AND WALES HEREBY ORDER that the following Scheme be approved and established as the Scheme for the regulation of the above-mentioned Charity:-

SCHEME

1 Administration of Charity.

* 1. The above-mentioned Charity and the property thereof specified in the schedule hereto and all other the property (if any) of the Charity shall be administered and managed in conformity with the provisions of this Scheme by the Committee of Management hereinafter constituted as the charity trustees thereof: Provided that until the end of the first annual general meeting to be held as hereinafter provided after the date of this Scheme the Charity shall be administered by the existing Trustees of the Charity in accordance with the provisions of this Scheme.
  2. The name of the Charity shall be The Stour Row Village Hall or such other name as the Committee of Management from time to time by resolution may decide with the prior approval of the Charity Commissioners.

1. Vesting.

The land specified and numbered 2 in the said schedule is hereby vested in the Official Custodian for Charities for all the estate and interest therein belonging to or held in trust for the Charity.

OBJECT

1. Object of Charity.
   1. The object of the Charity shall be the provision and maintenance of a village hall for the use of the inhabitants of the Parish of Stour Provost and the neighbourhood thereof (the area of benefit) without distinction of political, religious or other opinions, including use for meetings, lectures and classes, and for other forms of recreation and leisure-time occupation, with the object of improving the conditions of life for the said inhabitants.
   2. The said land and building shall be held upon trust for the purposes of a village hall as aforesaid.

COMMITTEE OF MANAGEMENT

1. Constitution.

~~Subject as hereinafter provided, the Committee of Management (the Committee) shall consist when complete of twenty four persons (the Members) being Eleven Elected Members, and Thirteen Representative Members.~~

Subject as hereinafter provided, the Committee of Management (the Committee) shall consist of no fewer than four and no more than ten members, including the Elected, Representative and Co-opted members. Once elected or appointed, the members of the Committee of Management will be appointed as charity trustees and duly registered as such with the Charity Commissioners.

1. Elected Members.

Subject as hereinafter provided for casual vacancies, the Elected Members shall be appointed at the annual general meeting to be held as hereinafter provided and shall hold office from the end of the annual general meeting at which they are appointed.

1. Representative Members.
   1. One Representative Member shall be appointed by Stours Parish Council.
   2. ~~Two Representative Members shall be appointed by each of the following organisations:~~

~~The Parochial Church Council of the Ecclesiastical Parish of All Saints Stour Row,~~

~~Duncliffe Nature Society,~~

~~Stour Row Coffee Morning,~~

~~Stour Row Simple Gardening,~~

~~Stour Row Keep Fit Club, and~~

~~The Stours' Women's Institute.~~

* 1. ~~The Representative Member appointed by the said Parish Council shall be a person who is resident in the area of benefit.~~
  2. ~~Each organisation shall notify the name of the persons appointed by it to the secretary of the Committee.~~
  3. ~~The appointment of Representative Members may be made not more than one month before the annual general meeting and the term of office of Representative Members so appointed shall commence at the end of that meeting.~~
  4. ~~If an organisation entitled to appoint Representative Members fails to do so within the said period of one month before the annual general meeting the appointment shall be made as soon as practicable after that meeting. The term of office of Representative Members so appointed and of any Representative Member appointed to fill a casual vacancy shall commence on the day on which notification is received by the said secretary.~~

(2) The appointment of Representative Members may be made not more than one month before the annual general meeting and the term of office of Representative Members so appointed shall commence at the end of that meeting.

1. Co-opted Members.

The Committee may appoint if they think fit not more than three Co-opted Members. Each appointment of a Co-opted Member shall be made at a meeting of the Committee to take effect from the date of that meeting.

1. Termination of membership.
   1. Any member who is adjudged bankrupt or makes a composition or arrangement with his or her creditors or who is incapacitated from acting or who communicates in writing to the Committee a wish to resign shall thereupon cease to be a member.
   2. All the Members shall retire from office together at the end of the annual general meeting next after the date on which they came into office but they may be re-elected or re­appointed.
2. Additional Representative Members.

The Committee shall have power by a resolution passed at a duly constituted meeting by the votes of not less than two-thirds of the Members for the time being to allow the appointment of two additional Representative Members by any organisation in the area of benefit not already named in this Scheme.

1. Alteration to constitution of Committee.

The constitution of the Committee as hereinbefore provided may on the application of the Committee be altered from time to time by Order of the Charity Commissioners.

1. Casual Vacancies.
   1. Upon the occurrence of a casual vacancy the Committee shall cause a note thereof to be entered in their minute book at their next meeting and in the case of a vacancy in the office of Representative Member shall cause notice thereof to be given as soon as possible to the organisation entitled to fill the vacancy.
   2. A casual vacancy in the office of Elected Member may be filled at a meeting of the Committee to take effect from the date of that meeting.
2. Failure to appoint.

The proceedings of the Committee shall not be invalidated by any vacancy among its Members or by any failure to appoint or any defect in the appointment or qualification of a Member.

1. Declaration by Members.

No person shall be entitled to act as a Member whether on a first or on any subsequent entry into office until after signing in the minute book of the Committee a declaration of acceptance and of willingness to act in the trusts of this Scheme.

1. Members not to be personally interested.

Except in special circumstances with the approval in writing of the Commissioners no Member shall take or hold any interest in any property belonging to the Charity otherwise than as a trustee for the purposes thereof, or receive any remuneration, or be interested in the supply of work or goods, at the cost of the Charity.

MEETINGS AND PROCEEDINGS OF THE COMMITTEE

1. Meetings of the Committee.

The Committee shall hold at least two ordinary meetings in each year. A special meeting may be summoned at any time by the chairman or by any two Members upon seven clear days' notice being given to all the other Members of the matters to be discussed.

1. Chairman.
   1. At the first meeting in each year after the annual general meeting the Committee shall elect one of their number to be chairman of their meetings until the commencement of the first meeting after the annual general meeting in the following year and may also elect one of their number to be vice-chairman. The chairman and vice-chairman shall always be eligible for re-election.
   2. If the chairman and vice-chairman (if any) are absent from any meeting of the committee the Members present shall choose one of their number to be chairman of the meeting before any other business is transacted.
2. Voting.

Except as hereinbefore provided every matter shall be determined by the majority of votes of the Members present and voting on the question but in the case of equality of votes the chairman of the meeting shall have a second or casting vote.

1. Minutes.

The Trustees shall keep, in books maintained for the purpose, minutes of the proceedings of their meetings.

1. Accounts and annual report.

The Trustees shall comply with their obligations under Part VI of the Charities Act 1993 with regard to:

* 1. the keeping of accounting records for the Charity;
  2. the preparation of annual accounts for the Charity;
  3. the preparation of an annual report;
  4. where applicable, the auditing or independent examination of the statements of account of the Charity; and
  5. where applicable, the transmission of the statements of account and the annual report to the Commissioners.

1. Annual return.

The Trustees shall, where applicable, comply with their obligations under the Charities Act 1993 with regard to the preparation of an annual return and its transmission to the Commissioners.

1. Rules.

Within the limits prescribed by this Scheme the Committee may from time to time make and alter rules for the conduct of their business and for the summoning and conduct of their meetings and in particular with reference to -

* 1. the terms and conditions upon which the said buildings may be used for the purposes specified in the Scheme by persons or bodies other than the Committee and the sum (if any) to be paid for such use;
  2. the appointment of an auditor, treasurer and such other unpaid officers as the   
     Committee may consider necessary and the fixing of their respective terms of office.
  3. the engagement and dismissal of such paid officers and servants as the   
     Committee may consider necessary; and
  4. the number of Members who shall form a quorum at meetings of the Committee,   
     provided that the number of Members who shall form a quorum shall not be less than one-third of the total number of Members for the time being.

INSURANCE

1. Insurance.

The Committee shall insure the said building and the furniture and effects therein to the full value thereof against fire and other usual risks arising out of the ownership of property.

APPLICATION OF INCOME

1. Receipts and expenditure.
   1. The income of the Charity including all payments for the use of the said building and all donations for the benefit thereof shall be paid into a trust account at such bank as the Committee shall from time to time prescribe.
   2. The moneys standing to the credit of the said account shall be applied as the Committee shall decide in insuring as aforesaid, in maintaining and repairing the said building and the furniture and effects therein and in paying all rent (if any), rates taxes, salaries of paid officers and servants and other outgoings and in otherwise furthering the object of the Charity.
2. Surplus cash.

Sums of cash at any time belonging to the Charity not needed for immediate working purposes shall be invested in trust for the Charity.

ANNUAL GENERAL MEETING

1. Annual general meeting.
   1. There shall be an annual general meeting in connection with the Charity which shall be held in the month of April in each year or as soon as practicable thereafter.
   2. All inhabitants of the area of benefit of 18 years of age and upward shall be entitled to attend and vote at the annual general meeting.
   3. The first annual general meeting shall be convened by the existing Committee of Management every subsequent annual general meeting shall be convened by the Committee.
   4. Public notice of every annual general meeting shall be given in the area of benefit at least 14 days before the date thereof.
   5. Before any other business is transacted at the first annual general meeting after the date of this Scheme, the persons present thereat shall appoint a chairman of the meeting. The chairman of subsequent annual general meetings shall be the chairman or vice chairman (if any) for the time being of the Committee, but if they are not present, before any other business is transacted, the persons present shall appoint a chairman of the meeting.
   6. The Committee shall present to each annual general meeting the report and accounts of the Charity for the preceding year.

LETTING AND SALE

1. Letting.
   1. Subject to the provisions of this clause, the Committee may let any part of the land belonging to the Charity which is not required for use for the object of the Charity.
   2. The letting must not unduly interfere with the use of the remaining land for the object of the Charity.
   3. The Committee must comply with the restrictions on disposal imposed by section 36 of the Charities Act 1993, unless the disposal is excepted from these restrictions by section 36(9)(b) or (c) or section 36(10) of that Act.
2. Sale.
   1. Subject to the provisions of this clause, the Committee may sell any part of the said land buildings, and may do and execute all proper acts and assurances for carrying any such sale into effect.
   2. The Committee may only sell the land if -
      1. The Committee decides that, on grounds of expense or otherwise, it is necessary or advisable to discontinue the use of the land for the object of the Charity; and
      2. the decision to sell is confirmed by a resolution passed at a meeting of the inhabitants of the area of benefit of 18 years and upward. At least 14 days notice of the meeting, setting out the terms of the resolution proposed, must be given.
3. Proceeds of sale.
   1. Unless the Commissioners otherwise direct the clear proceeds of any such sale as aforesaid shall be invested in trust for the Charity.
   2. Thereafter, the Committee shall apply the clear income and subject to the approval of the Commissioners the property of the Charity in furthering the object of the Charity or for such other charitable purposes for the general benefit of the inhabitants of the area of benefit as the Committee think fit.

GENERAL PROVISIONS

1. Donations.

The Committee may accept any donations or property for the general purposes of the Charity and they may also accept donations or property for any special objects connected with the Charity not inconsistent with the provisions of this Scheme.

1. Power of amendment.
   1. Subject to the provisions of this clause, the Committee may amend the provisions of this Scheme.
   2. Any amendment must be made under the authority of a resolution passed at the annual general meeting. The notice of the meeting must include notice of the resolution, setting out the terms of the amendment proposed.
   3. The Committee must not make any amendment which would:
      1. vary this clause;
      2. vary clauses 3, 26 and 27 of this Scheme (objects clause and clauses conferring powers of letting and sale);
      3. confer a power to dissolve the Charity;
      4. enable them to spend the permanent endowment of the Charity.
   4. The Committee must obtain the prior written approval of the Commissioners to any amendment which would:
      1. vary the power for the remuneration of Members in clause 14 of this Scheme;
      2. vary the Committees' power of investment.
   5. The Committee must:
      1. promptly send to the Commissioners a copy of any amendment made under this clause; and
      2. keep a copy of any such amendment with this Scheme.
2. Questions under Scheme.

Any question as to the construction of this Scheme or as to the regularity or the validity of any acts done or about to be done under this Scheme shall be determined by the Commissioners upon such application made to them for the purpose as they think sufficient.

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S C H E D U L E

The following adjoining land situate at Stour Row, Stour Provost, in the County of Dorset:-

1. Land having a frontage on the south of 9 metres or thereabouts to the road from Stour Row to Todber being part of the land numbered 381 on the Ordnance Survey map (1902 second edition) with the buildings thereon known as the Village Hall being the land comprised in the above-mentioned conveyance and trust deed dated the 18th March 1954 and made between Roy Fowler Maidment and three others of the one part and Basil Ridout and three others of the other part and recorded in the books of the Ministry of Education on the 26th April 1954 pursuant to the provisions of section 29(4) of the Settled Land Act 1925.
2. Land having a frontage on the south of 8 metres or thereabouts to the above-mentioned road from Stour Row to Todber being the land comprised in a conveyance made the 31st December 1985 between Arthur Kingsley Rutter and another of the one part and John Owen Abraham and another of the other part.

Note. The land and buildings numbered 1 above are vested in the Official Custodian for Charities by virtue of an Order of the Charity Commissioners of the 28th September 1954 as affected by the provisions of the Charities Act 1993.

Sealed by Order of the Commissioners this 21st day of February 1996.



